

## REMARKS

Reconsideration of the subject application as amended herein is respectfully requested.

The Examiner has indicated that claims 6 and 7 contain allowable subject matter. Accordingly claims 5, 6 and 7 has been cancelled most of the limitations of claims 5 and 6 have been incorporated into claim 1. In addition, new claims 22-25 are presented with claim 22 containing the limitations of claims 1, 5 and 7 and claim 23 recites that the thin metal layers are silver and claims 24-25 repeat the limitations of claims 3 and 4.


The Examiner has rejected claims 8 and 10 as being anticipated by the Kiguchi reference. The Applicants respectfully traverse these rejections. Claim 8 defines an optical recording device with "a near-field probe comprises a plurality of metal layers coated on opposite sides thereof and symmetrically spaced-apart from each other to generate an electrical potential difference." Moreover, in the subject device light to the near-field probe is transmitted from an optical diode through an optical fiber. The Kiguchi reference is immaterial because (a) it does not disclose an optical fiber; (b) it discloses planar-type probe, while in the present invention discloses a near-filed probe with metal layers being disposed symmetrically on two opposed sides thereof; and (3) because in the present invention, an electrical potential difference between the metal layers in order to increase the intensity of light emitted from the probe,-while the Kiguchi fails to disclose such a potential difference.

It is respectfully submitted that no new matter has been added by the

forementioned amendments and entry thereof is earnestly solicited. Additionally-, it is respectfully submitted that the subject application as claimed herein is patentably distinguishable over the prior art of record and therefore it should be allowed.

Respectfully submitted  
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